

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

UNITED STATES OF AMERICA)
)
) Case No. 3:15-CR-52 JD
)
v.)
)
DAVID M. FELSKA)

UNITED STATES' SENTENCING MEMORANDUM

Comes now the United States of America by David Capp, United States Attorney for the Northern District of Indiana, and by Donald J. Schmid, Assistant United States Attorney, and submits the following memorandum in preparation for the sentencing hearing in this case.

Correction

Paragraph 69 of the PSR filed November 5, 2015 incorrectly states:

Based upon a total offense level of 25 and a criminal history category of V, the guideline imprisonment range is 100 months to 125 months, however due to the statutory maximum being 10 years for this offense the guideline maximum is 120 months.

The defendant pleaded guilty to two counts (10 years each) and those can be added together consecutive to accommodate the applicable guideline range in excess of 120 months.

Sentencing Recommendation

Pursuant to the terms of the plea agreement, the government recommends a sentence of imprisonment at the midpoint of the applicable guideline range, followed by a three year term of supervised release.

Dated: November 6, 2015

Respectfully submitted,

DAVID CAPP
UNITED STATES ATTORNEY

By: s/ Donald J. Schmid
Donald J. Schmid
Assistant United States Attorney

CERTIFICATE OF SERVICE

I certify that on November 6, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to defense counsel.

s/ Chris Carson
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